

## The University of Maine DigitalCommons@UMaine

---

Maine Town Documents

Maine Government Documents

---

2011

# Town of Freeport Comprehensive Plan

Freeport (Me.). Planning Board

Follow this and additional works at: <https://digitalcommons.library.umaine.edu/towndocs>

---

### Repository Citation

Freeport (Me.). Planning Board, "Town of Freeport Comprehensive Plan" (2011). *Maine Town Documents*. 301.  
<https://digitalcommons.library.umaine.edu/towndocs/301>

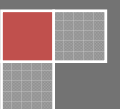
This Plan is brought to you for free and open access by DigitalCommons@UMaine. It has been accepted for inclusion in Maine Town Documents by an authorized administrator of DigitalCommons@UMaine. For more information, please contact [um.library.technical.services@maine.edu](mailto:um.library.technical.services@maine.edu).

2011

# Town of Freeport

## COMPREHENSIVE PLAN

Town of Freeport  
2/8/2011





## **TABLE OF CONTENTS**

	<b>Page</b>
<b>Introduction</b>	<b>1</b>
<b>Vision</b>	<b>2</b>
<b>Population and demographics</b>	<b>5</b>
<b>Natural Resources –     Topography, Soils, Water Habitat, Critical Natural resources</b>	<b>6</b>
<b>Open Space and Recreation</b>	<b>7</b>
<b>Agriculture, Forestry, and Marine Resources</b>	<b>10</b>
<b>The Economy</b>	<b>14</b>
<b>Energy and Recycling</b>	<b>17</b>
<b>Transportation</b>	<b>20</b>
<b>Historic and Archeological Resources</b>	<b>24</b>
<b>Public Facilities, Services, Government, and Fiscal Capacity</b>	<b>25</b>
<b>Current Land Patterns and Future Land Use Plan</b>	
<b>Rural Residential</b>	<b>26</b>
<b>Mixed Use and Growth Areas</b>	<b>29</b>
<b>Transition Areas</b>	<b>31</b>
<b>Affordable Housing</b>	<b>31</b>
<b>Commercial Areas</b>	<b>33</b>





## **FREEPORT 2020 Comprehensive Plan**

### **Introduction**

Developing a Comprehensive Plan is a legal obligation and an opportunity. The Plan gives a community the opportunity to look at where it has been and where it is going. Towns are obligated by the State to periodically develop (or revise) their Plans so that they meet the State's goals as well as their own. The rules and regulations included in a local zoning ordinance must conform with the Comprehensive Plan; zoning cannot exist without a Plan.

The Plan is both a vision and a strategy to achieve the vision. It is what the town wants to be, and wants to look like, several years down the road. It identifies what needs to change and what needs to be preserved.

There is always controversy in a Comprehensive Plan. People will disagree about what the future should look like. One person's great idea is another person's folly. A well done Plan attempts to find the nearly impossible balance between the good of the town and rights of the individual. A wise Plan will be open to compromise, but not to the point of diluting the overall vision.

Freeport started planning in 1959. That plan was called the "Foundation for the Future". That Plan started by saying "Why, after all of these years of individual and group achievement, is it necessary to start a "planning process", what are the reasons, and what will it accomplish." The Plan then went out to talk about a shift from rural to urban life, the increased demand for services paid for by the town, conflicting land uses, disagreements over community needs, and the friction that all of these issues creates as examples of why a plan is needed.

In 1974, the next Plan was adopted. That Plan focused on the changes brought about by the "mobility provided by the automobile". The focus shifted from the pressure created by urban development to increased development along rural roads. "Decentralization has, in turn, diminished the strength of neighborhoods socially and commercially during the twentieth century. The focus of these neighborhoods is needed in Freeport today." The plan was updated again in 1981; however, the issues raised and the recommendations made were similar to those made in 1974.

Four years later, in 1985, the next Plan was adopted. That Plan starts by saying ‘Ironically, almost as soon as the Plan (1981) was finalized, the Town of Freeport began a period of significant changes which required that a new analysis be undertaken ...’ The Plan addressed population increases (over 22% in a decade) and increased density. In 1940 Freeport had a density of 110 persons per square mile, in 1950, it was 164 persons per square mile, by 1980 it had jumped to 234 persons per square mile. The increased density was attributed to the gradual change from a rural community to a suburban community.

In 1994, the Plan was once again, updated. In addition to the changes as Freeport shifted from a small rural community to a suburban coastal community, that Plan also addressed the changes as Freeport became “a world famous retail center and home to one of the country’s most well known retail/catalogue operations.”

This Plan is a product of the Planning Board. In 2007, the Board conducted a town-wide survey. The results prodded the Board and its members to reach out to all the various boards and committees, the farmers and other professionals, the businesses, and, of course, the citizens. They asked them what they like and don’t like about Freeport and what they would change, and what they would leave alone.

A document entitled Freeport Data, Facts, Trends, and Maps (FDFTM) accompanies this plan. That document contains a wide variety of information about Freeport and is updated as new information becomes available. That document is intended to provide factual information that is used in the development of goals or policies. Through this document, reference to FDFTM is made. It may be a map or a table that provides background information.

In 2009, times have changed. New housing starts are lower than they have been in decades, the population growth was lower than what was predicted in 1994, and commercial growth has slowed. Energy prices have fluctuated wildly, and long term availability of fossil fuels is uncertain. The demand for services increases while the public sentiment is strong to keep property taxes flat. While the economic downturn of 2008 and 2009 is unlike anything witnessed since the 1930’s, it presents the opportunity to respond in ways that will sustain the community well into the future.

### **The Vision**

The Vision outlines the direction that the town wants to move in. While many ideas are included in this Plan they are not specific recommendations and, by no



means should those ideas be considered the only way to achieve the Vision. In determining if an idea or proposal is consistent with the Plan, it is the Vision that should be kept in mind.

It is very likely that a new idea or situation will come up that is not consistent with the Vision of this Plan. If the idea is found to be a good one, then the Plan should be amended. This Vision is not static, but instead it is fluid and should be updated to meet changing needs and circumstances. It is also the document that the Planning Board uses as a guide to their decision making.

It is rarely the path of least resistance that creates a desirable change, but instead it is the difficult decisions and compromises that make a community a great place. The results of the Community Attitude Survey indicated that the Town's residents strongly identify with Freeport's "small town feel". Intelligent growth and development can benefit Freeport if they are managed in a manner consistent with this "small town" feel. This vision should be preserved, but not to the exclusion of all development.

The Vision for the future is:

**That Freeport would continue to be a desirable place to live by:**

- allowing a variety of neighborhoods and housing types, at a variety of prices,
- protecting natural and historic resources,
- ensuring that workers in Freeport can afford to live in Freeport,
- maintaining large tracts of undeveloped fields and forests, and providing opportunities to enjoy these places,
- having a recognizable transition from built-up village areas to rural areas,
- preserving and enhancing waterfront resources,
- encouraging the expansion of the creative arts,
- replicating the traditional pattern of New England village neighborhoods, and traditional architectural designs while also allowing new development patterns and contemporary design
- maintaining and improving the walk ability and bike ability of the town's neighborhoods so as to encourage community health and safety

**That Freeport would be responsible stewards of the environment by:**

- providing incentive to develop land in ways that don't harm the environment
- ensuring an adequate supply of potable drinking water
- protecting environmentally sensitive areas
- continuing to improve air and water quality

**That Freeport's economy would remain strong and stable by:**

- providing a diversity of commercial enterprises that provides a wide variety of jobs consistent with the community's character
- providing a diversity of goods and services that attracts visitors and sustains residents, again consistent with the community's character
- promoting Freeport as a destination to visitors
- providing flexible regulations that allow creative site and building designs so as to minimize negative environmental impacts, improve traffic circulation and traffic safety, and reduce our dependence on non-renewable energy resources
- protecting and expanding local food production, both on land and in the sea

**That Freeport's energy needs would be met by:**

- reducing energy consumption through efficient land use and building use, efficient building design, non-car transportation opportunities, and clean waste management
- increasing the use of renewable energy resources
- organizing energy conservation including all residents

**That Freeport's transportation needs would be met by:**

- maintaining the existing system of roads, expanding only when necessary
- promoting a variety of alternatives to the automobile, including walking, biking, rail, buses and trains
- improving the flow of traffic both vehicular and pedestrian in the village to reduce congestion

**That Freeport's tax base would best accommodate growth by:**

- using infrastructure and services to plan for growth, rather than simply to react to growth pressures. Infrastructure means roads, water and sewer lines, power lines, etc. Services means schools, libraries, firehouses, and other public investments

## **PLANNING ELEMENTS REQUIRED BY THE STATE**

### **1. Population and demographics**

Freeport is expected to continue to grow over the next decade, but at a slower pace than in the past three decades. Between 1970 and 1990, the population increased by over 2,100. From 1990 – 2005, the population grew by 1,161 (see Table 1 – FDFTM). The number of school-age children is going down while the number of people 50 years old and greater is going up (see Table 2 –FDFTM). This is a common trend around the country as the baby boomers (those born between 1947 and 1964) age. As the baby boom generation starts to retire, and their children no longer live at home, housing types other than single-family homes will likely become more desirable. If there are housing options available, then Freeport residents will more likely be able to stay in town. Freeport, because of its proximity to metropolitan services and attractions found in Portland or Boston, is a desirable place to retire. We should anticipate retirees “from away” relocating in Freeport.

Another growing segment of the population is the so-called “baby boomlet”, or “echo boomers”; those born in the 1980’s and 1990’s, the children of the baby boom. That group now ranges from approximately high school age to their late twenties. In the next decade, they will become first-time home buyers and renters. They will need housing that they can afford.

The number of families with young children whose parent(s) work continues to increase. The U.S. Census states that more than 70 percent of mothers with children under age six are in the workforce, and more than half of them use outside-the-family child care. Families are spending between nine and 25 percent of their annual income on child care, according to census estimates. Low-income parents, of course, spend the largest percentage of their income on child care (see Table 3 –FDFTM). Affordable childcare is likely to be a continued need in the next decade. So, while it is likely that school building expansions won’t be necessary, schools should prepare to re-organize their spaces to fit new needs.

Freeport is considered a “service center” community by the State; that means that it is a job center, and a retail center, and that a variety of social, cultural, health, and financial services draw visitors and residents from nearby communities.. The number of visitors to Freeport fluctuates seasonally. An estimated 3.5 million people visit town every year. The majority of those visits is in the summer. Being

a regional job and retail center, the town has a greater demand for many services than other similarly sized towns.

## **2. Natural Resources – Topography, Soils, Water, Habitat, and Critical Natural Resources**

The Maine Growth Management Act states that communities must work “*To protect the quality and manage the quantity of the State’s water resources, including lakes, aquifers, great ponds, estuaries, rivers, and coastal areas.*”

*To protect the State’s other critical natural resources, including without limitation, wetlands, wildlife and fisheries habitat, sand dunes, shorelands, scenic vistas, and unique natural areas.”*

Freeport residents prize the natural beauty of the town as evidenced in surveys taken over the last two decades. Significant tracts of land have been protected from development over the last several years in a variety of ways. In some cases the town purchased land, in other cases it was donated. The Freeport Conservation Trust has been very active in acquiring land. The Open Space Subdivision (adopted in 2004) regulations have resulted in the protection of hundreds of acres of land (see Table 22 –FDFTM). Protecting land from development is by far the most effective means of protecting habitat and environmentally sensitive areas.

Regulations are another way to protect natural resources. For example, wetlands, streams, and other waterbodies are protected by the Maine Department of Environmental Protection. Coastal areas, some streams and rivers, and wetlands are protected by local Shoreland Zoning Regulations. The Clean Water Act requires that the town manage stormwater in certain ways. The Army Corps of Engineers regulates wetlands and navigable waters. Locally, development proposals are required to do an on-site evaluation of natural resources, so that these areas can be avoided as much as possible. Flexible regulations may make it easier to allow development and protect environmentally sensitive areas at the same time. Setback requirements for example, can force development to happen in certain places. Allowing setbacks to be varied if environmentally sensitive areas are avoided, allows land to be used for its best use without damaging the environment.

One new source of information to consider is the “Beginning with Habitat” data (see Figures 4 - 6 –FDFTM). This data identifies certain habitats to consider for protection. For more details on the types of land suggested for protection and their

locations in Freeport see FDFTM- Section 10, Natural Resources. This data can be effective and useful without being a regulation. For example, when residential subdivisions are reviewed, this data can be useful in deciding where open space should be and where the development should be.

Great progress has been made in natural resources protection over the last two decades. Appropriate environmental protection requires a level of technical expertise not available on the local level. Therefore, the Town has relied on the state and federal governments to enact and enforce environmental regulations. Continued enforcement of the rules and regulations that are in place is important.

### **IMPLEMENTATION IDEAS**

1. Consider reducing front setbacks in MDR 1 District on Flying Point to make up for the greater setback from the water as required by shoreland zoning. (Planning Board) *high priority*
2. Consider amending the Site Plan Review regulations to include showing wetlands, vernal pools, streams, and other water bodies on a property and provide that these areas should be avoided as possible. (Planning Board/Project Review Board) *medium priority*
3. Consider allowing property line setback requirements to be reduced without the need for a variance to protect a wetland, vernal pool, water body, etc. provided the reduction doesn't adversely impact neighboring properties or public infrastructure. (Planning Board) *high priority*
4. Consider developing watershed and sub-watershed stormwater management plans particularly in the watersheds of public water supplies, well head protection areas, and "urban impaired streams". (Town Engineer) *medium priority*
5. Consider adding the "Beginning with Habitat" data or other similar data that may become available into the Open Space Subdivision Ordinance as a "secondary conservation area" as defined by the Freeport Zoning and Subdivision Ordinances. (Planning Board/Project Review Board) *low priority*

### **3. Open Space and Recreation**

The Maine Growth Management Act states that communities must work "*To promote and protect the availability of outdoor recreation opportunities for all Maine citizens, including access to waters*".

Our success in protecting land has not been because of one method, but because of many.

Freeport is very fortunate to have over 1,200 acres of protected open space (see Table 21 –FDFTM). The State has a guideline of 5 to 8 acres per 1,000 population

(see Table 27 –FDFTM). Using that guideline, Freeport is well over the recommended amount of open space. Land has been protected in a variety of ways. The Freeport Conservation Trust has been very successful in purchasing land in fee and easements, accepting donations, and securing grants for purchases. In June 2000, the voters approved a \$500,000 bond issue to purchase open space. The town has used some of that money to purchase property adjacent to Hedgehog Mountain, as of June 2009, \$154,000 of the bond issue remains unspent. Two Land for Maine Future grants have been awarded to the town: one to help purchase land around Florida Lake, the other to purchase development rights at Quarry Ridge. The Open Space Subdivision Ordinance has resulted in some land protection, while at the same time allowing development.

The Conservation Commission is responsible for the stewardship of these lands. Conservation Commissions are all volunteers with no staff. The Commission has developed trail maps and stewardship plans for both Hedgehog Mountain and Florida Lake. As the number of town owned open spaces grows, it is difficult to keep up with stewardship with no staff. The town should be planning for long-term stewardship of these open spaces.

The Open Space Plan, prepared by the Conservation Commission and accepted by the Town Council in July 1999 continues to provide guidance and goals for the preservation of open space. That Plan sets goals to be accomplished by 2009. While that time has passed, the goals of that Plan continue to be relevant and desirable today.

Acquiring more land for conservation purposes is important, it is also urgent to develop plans to take care of and use the land that is currently protected. The open spaces that have been acquired are fairly evenly dispersed around the town, thus creating the opportunity for healthy outdoor recreation (see Figure 2 –FDFTM). As Mainers, we embrace and value outdoor recreation. In the next decade, developing stewardship plans for land already publicly owned may be as important as acquiring new land. Some new land acquisition may target places where connections between trails are needed. In these cases, a narrow band of land may be all that we need to acquire. Specific trail locations have not been identified; however, any and all links or potential links should be considered. The Project Review Board has the authority to require trail easements on subdivisions proposed in the Village, but not on those proposed in rural areas. While some easements have been offered on rural subdivisions, they were all done voluntarily by the developer.

To continue protecting land, other options should be considered. For example, buying development rights in a rural area, in exchange for higher density in another area is another way to preserve open space (in planning terms this is known as transfer of development rights). This particular tool has been used around the country for many years. It has been met with limited success because the rules tend to get very complicated. In addition, one developer might not have both land to preserve and the land to develop. An effective transfer of development rights program should be simple, and have a mechanism available for rights to be purchased in lieu of providing the land. The purchaser's money would, of course, go toward the purchase of land or development rights elsewhere in town.

Land can also be protected by encouraging a wide variety of outdoor recreation. Recreation and conservation are not the same, but, outdoor recreation that requires few buildings and minimal land disturbance can be less intense than that of a housing development. While these types of uses often will require buildings such as sports complexes, classrooms, warming huts and the like, they also tend to use large tracts of land that is undeveloped (or is lightly developed such as ball fields). This can provide a business opportunity and additional recreational opportunities for residents.

Taller buildings are another way to minimize the disturbance of land while allowing growth and development. Freeport has a building height limitation of 35 feet in most areas. These limitations were primarily based on the height of a building that a fire department could fight a fire. For years, 35 feet was appropriate for fire protection purposes. The Freeport Fire Department now has ladder trucks that can fight a fire in a building that is 85 feet tall. Buildings that are 85 feet tall are probably not appropriate for the landscape, but some point between 35' and 85' might be just right. Taller buildings might only be appropriate in certain areas.

### **IMPLEMENTATION IDEAS**

1. Consider allowing the Project Review Board to develop incentives for obtaining trail easements in rural areas if they provide a link in an existing or new trail system. (Planning Board/Project Review Board) *medium priority*
2. Consider allowing density bonuses in a growth area if open space is preserved in a rural area if, *high priority*
  - A. land is purchased for preservation (transfer of development rights), or if
  - B. a fee in lieu of land is paid (Planning Board/Conservation Commission)



3. Consider allowing taller buildings in commercial districts outside of the village core to preserve more open space.(Planning Board) *low priority*
4. Consider extending the goals of the 1999 Open Space Plan for another ten years. *medium priority*
5. Consider providing some staff assistance to the Conservation Commission.(Town Council) *medium priority*
6. Consider engaging students from nearby universities to help with the development of management plans, and trail maps for publicly owned spaces. (Town Planner) *ongoing*
7. Consider developing new ways to raise funds to protect open space. For example, wetland mitigation fees. (Planning Board/Freeport Conservation Trust/Conservation Commission) *medium priority*

#### **4. Agriculture, Forestry and Marine Resources**

The Maine Growth Management Act states that communities must work “*To safeguard the State’s agricultural and forest resources from development that threatens those resource,*” and “*To protect the State’s marine resources industries, ports and harbors from incompatible development to promote access to the shore for commercial fishermen, aquaculturists, marine trades, other water dependent businesses and the public.*”

##### **Agriculture**

Preserving agricultural land is more important now than ever before. While previous plans have called for saving farmland as a way to preserve the “rural character”, there are other reasons. Healthy communities require healthy food. Locally produced food tends to be fresher and less processed; as a result it is more nutritious. Farms also preserve open space, create jobs, and are an important cog of the local economy.

Allowing farms to continue to prosper requires a wide variety of tools. For example, many farms need to have revenue year-round, not just during the harvest. Agritourism is becoming a necessity for farmers both in the state and the country. In Freeport, “agritourism” can be defined as agricultural enterprises that also use their land for non-motorized outdoor recreation (such as horseback riding and cross country skiing), educational services (such as cooking classes and gardening classes), entertainment (such as barn dances and haunted hay rides), direct sales (such as u-pick operations and roadside stands), and/or hospitality services (such as farm stays and guided tours).



Roadside stands, farmers' markets, and consumer supported agriculture (commonly referred to as CSAs) are all options farmers need to have so they can sell their products at retail prices. Programs that encourage residents and businesses to "buy local" have been very successful at promoting farmers as well as other types of local businesses.

A transfer of development rights program giving preference to farmland is one way to preserve these areas. Such a program would allow farmers to sell the development rights of their farmland, while still owning and being able to use the land for agricultural purposes. This tool could also result in the start-up of new farms. Land costs in Freeport tend to be cost prohibitive to start up a farm. If the development rights were sold, much needed capital is raised, and the land cost is lowered and the value of the land is diminished resulting in lower property taxes every year. Once the development rights are sold, they are gone forever and the land is permanently protected.

There are negative aspects of farming that have to be overcome. For example, careless manure handling results in water pollution. Farms adjacent to both fresh and salt water bodies can contaminate the water and the fish or shellfish living in that water. The use of pesticides and herbicides can drift in the air, contaminating both the air and the water where they ultimately settle. The Cooperative Extension Service of the USDA provides advice to farmers on the proper handling of wastes and chemicals.

A few large farms in Freeport have been lost over the years to residential development. However, smaller agricultural operations seem to be on the rise. Raising small farm animals such as chickens and growing fruits and vegetables in large backyard gardens in suburban and urban areas are on the rise nationally. These smaller agricultural operations tend to be a secondary source of income and so, they might prove to be more sustainable than larger operations. The small scale farmer might be more able to survive a bad year.

Some commercial establishments have also taken to planting fruits and vegetables. For example, when L.L.Bean was proposing a new parking lot next to a community garden, an "edible buffer" was requested by the gardeners. Instead of planting more traditional landscaping shrubs and bushes, apple trees and blueberry bushes were planted. Another development proposed shallow catchments areas for managing stormwater run-off. In that case hundreds of low bush blueberries were substituted for grasses and stones. L.L.Bean has a substantial vegetable garden

next to its corporate office building, and the Harraseeket Inn incorporates vegetable plants into its landscaped beds. A caveat: to function properly, though, fruit-bearing plants and bushes require more maintenance than do typical landscaping plants.

## **Forestry**

Maintaining healthy woodlots for the production of building materials, paper products, energy, and maple syrup is as important as agricultural land. Trees also absorb carbon dioxide out of the air and store it in wood, thus reducing greenhouse gases. Wood is the oldest source of renewable energy. A good productive woodlot takes decades of hands-on management to become mature.

On a small scale, biomass energy (the use of biological material, such as wood or wood waste, to produce either heat or electricity) has potential as a renewable energy resource in Freeport. Biomass, as a renewable energy resource, is a State priority, to decrease our dependence on foreign fuels. If biomass energy plants become more common, this may present an opportunity for a new local industry. It is possible that the most efficient use of biomass energy will require adjustments to local standards such as setbacks and minimum lot sizes.

The northeast is abundant with poplar, maple, black locust, and willow, now thought of as “power crops”. They grow quickly, or can re-sprout when cut thus allowing several cuts for each tree without having to replant, meaning more frequent harvesting is possible. This provides a profitable new opportunity for many forest landowners and managers to increase the yield of a woodlot while maintaining the ecosystem that forests provide.

For 200 hundred years, our rural landscapes were “working” landscapes. They were productive and revenue generating. The town can actively work to preserve farmland and woodland, often without spending any taxpayer dollars. Allowing growth today, without compromising the needs of future generations, will require that agricultural and forestry management not only be maintained, but intensified. To do so, aggressive and creative measures are going to have to be considered and implemented.

## **Marine Resources**

Freeport's coastal waters provide commercial and recreational opportunities for a substantial number of people, not just townspeople. Most water access is concentrated in the tight area in and around the Town Wharf in South Freeport.

This concentration has caused traffic congestion and parking problems in the vicinity of the Town Wharf. These issues are reviewed by the Traffic and Parking committee on a regular basis.

The two "Marine Waterfront District" areas protect water-dependent, commercial marine operations from being forced out by non-water-dependent land uses.

Freeport had some of the most productive clam flats in the State of Maine. In 2009, 70% of the clam flats along the Harraseeket River were closed by the Maine Department of Marine Resources. The area around the sewage treatment plant is permanently closed. Pollution from point and non-point sources is why these once productive flats have been closed. Once a flat is closed, it can take up to 3 years of water quality testing to get the area open again. The Town of Freeport was awarded a grant in 2009 from the State Planning Office to develop a plan to open more clam flats in the Harraseeket River.

The Freeport Sewage Treatment plant functions under capacity in terms of the amount of flow that goes into the plant. However, during heavy rain storms, raw sewage can flow directly into the river. There is a delicate balance between the health of the Harraseeket River and its shellfish and growth connecting to the public sewer system. Old sewer pipes can have leaks that allow rain water to enter the system. This creates a peak in effluent at which point the sewage treatment plant can no longer handle all of the waste. Therefore, adding new growth areas needs to be carefully coordinated with the sewer district to ensure that the sewer lines in those areas are functioning properly.

The ocean provides another important local food source and is income for over 50 Freeport families in 2009. Improving water quality to expand fish and shellfish harvesting is another issue that will require significant attention in the next decade.

### **IMPLEMENTATION IDEAS**

1. Consider supporting the continuation of the farmers' market by allowing a market in any high traffic part of town. (Town Council) *ongoing*
2. Consider providing flexibility in local regulations to allow farms to diversify their income sources with related business activities consistent with the agricultural nature of the land. (Planning Board) *medium priority*
3. Consider providing a way for land owners to realize a return on the development potential of their land while keeping it undeveloped and productive with options such as purchase of development rights, transfer of development rights, and conservation leases. (Planning Board/Conservation Commission/Freeport Conservation Trust/Freeport Economic Development Corporation) *high priority*

4. Consider allowing working farms (define using the standards in the state “farmland tax law”) and lots included in the “tree growth tax program” to develop house lots, smaller than what would otherwise be allowed if the development rights are stripped from the balance of the minimum lot size. This would apply to house lots that are not part of a subdivision. (Planning Board) *medium priority*
5. Consider balancing growth area development with the ability of the sewerage treatment plant to handle the development. (Planning Board/Freeport Sewer District) *high priority*
6. Consider supporting “community supported agriculture and fisheries”. (Town Council) *ongoing*
7. Consider providing incentives if edible landscaping such as fruit and vegetable plants, trees, and bushes are planted. (Planning Board) *low priority*
8. Consider continuing to study coastal waters and to develop plans that open more areas for shellfish harvesting. (Shellfish Commission/Coastal Waters Commission) *high priority*
9. Consider making information available to waterfront landowners regarding the current use tax program for commercial fishing activities. *medium priority*

## **5. The Economy**

The Maine Growth Management Act states that communities must work *To promote an economic climate that increases job opportunities and overall economic well-being.*

Without a doubt, L.L.Bean is the cornerstone of Freeport’s economy. Bean is the biggest employer, the highest tax payer, and the largest landowner. L.L.Bean and shopping are what Freeport is known for. The continued success of the retail sector of the economy is crucial to the town’s financial well-being. Advancing Freeport as a “destination” is crucial to the retail sector. This means the town should have a variety of options for overnight stays, plenty of recreation, and cultural activities.

However, Freeport should not rely solely on the retail sector. One opportunity for diversity and expansion is the “creative economy”. The State of Maine uses the following definition, *"The Creative Economy is a catalyst for the creation of new jobs in Maine communities. People who create jobs want to live in places that have a diverse cultural mix and an innovative and educated workforce. Maine will be competitive economically if we continue to capitalize on the synergies between entrepreneurship, education, the arts and quality of life."* The “creative economy” movement in Maine focuses on the arts and culture, and technology and

innovation. Two very different sectors of the economy, but both require a high level of creativity.

The performing, visual, and musical arts in Maine are an important part of our culture and are important to our tourism industry. Freeport is very fortunate to have a strong arts community. The presence of local arts supports Freeport's image as an "authentic" village. Rents in the Village core tend to be too high for arts related businesses, yet the success of these businesses relies heavily on tourist traffic. The Freeport Historical Society also provides an important function with its changing exhibits and programs.

Innovation and technology allow Freeport and Maine to stay competitive in the global economy. One opportunity is adding value to locally grown forestry and agricultural products. There is a wide variety of new products being developed here in Maine and other places. A stronger light manufacturing sector expands our job base and helps to restore the manufacturing jobs lost over the last 50 years. The Freeport Zoning Ordinance defines manufacturing as "a use which involves the manufacture, compounding, assembly, or treatment of articles or materials". Light manufacturing tends to refine that definition to limit the amount of noise, odors, pollution, traffic, bulk of a building, and so on to minimize the impacts and to blend the use with other nearby uses.

Growing a "greener economy" is yet another opportunity. The United Nations Environment Program assists governments in "greening" their economies by "reshaping and refocusing policies, investments and spending in a range of sectors such as renewable energies, water services, green transportation, waste management, green buildings and sustainable agriculture and forests". A "green" economy creates new manufacturing and technology opportunities, but it also invites existing companies to find new ways of doing business that reduce their energy consumption. A local "greener" economy also means encouraging energy conservation so that businesses and residents spend less on energy and have more money to spend on other things. As a result, the local economy is much stronger and fewer greenhouse gases are being emitted into the atmosphere.

The Town's role in shaping and growing the local economy can be minimal or it can be substantial. Freeport has taken an active role in the economic development for several years by supporting financially the Freeport Economic Development Corporation (FEDC) and starting in 2010, the new Freeport Chamber of Commerce (the Chamber). FEDC has been providing a wide variety of services to existing and new businesses.

The town has played an active role in expanding the local economy by approving Tax Increment Financing Districts (TIFs). With TIFs, the town agrees to pay back some of the taxes paid on certain properties for improvements that have been made, or designates that certain property taxes that are paid are spent on village improvements. Only the new value created from development is eligible for reimbursement or for designation. The original value and taxes paid on that value, continue to go into the general fund. Some previous TIFs have included reimbursements for infrastructure improvements such as extending water and sewer lines, building stormwater management facilities, and building parking garages. The town benefits because the improvements have been made, and the new value resulting from the improvements isn't considered in the town's overall value. As a result, the amount that the town has to pay the County every year is lower, and the town receives higher revenue from the State for schools (State Aid for Education), and for roads (State Revenue Sharing). TIFs require local and state approval. TIFs are an opportunity to make strategic decisions in expanding the economy. With this in mind, the Town Council approved a formal policy in 2010 entitled the "Tax Increment Financing Policy and Process.

Another role the town can play is to remove unnecessary barriers that might exist in local regulations. For example, a high minimum lot size or large setbacks, or a use that is not permitted can be barriers to development and may not be necessary to preserve the character of a zone. Lowering those requirements can make the difference between a business being able to locate in Freeport or not.

Contract zoning is one way that the merits of an individual project can be reviewed and approved even though it might not meet all of the requirements. Removing barriers doesn't mean eliminating all regulations. Not all requests for waivers from a standard are appropriate, but for those that are, there might be some relaxation of regulations that is appropriate.

### **IMPLEMENTATION IDEAS**

1. Consider allowing gas stations in commercial districts (Planning Board) *medium priority*
2. Consider amending the sign ordinance to allow businesses not on Main St to have directional and "open" signs. (Ordinance Committee) *high priority*
3. Consider amending the Zoning Ordinance to include a definition of the "light manufacturing" and to identify areas where this use would be appropriate. (Planning Board) *medium priority*



4. Consider promoting a “creative economy” and “creative jobs” and a “green economy” and “green collar” jobs in Freeport. This may include zoning amendments, contract zoning, staff support and other actions not previously considered. (FEDC/Planning Board) *medium priority*
5. Consider promoting businesses that promote technology and/or that add value to agricultural and forestry products. (FEDC/Planning Board) *medium priority*
6. Consider evaluating the village parking requirements. (Traffic and Parking Committee) *high priority*

## **6. Energy and Recycling**

The Growth Management Act has not established goals regarding energy. The State of Maine has the goal to become more energy independent by maximizing use of clean, reliable, and renewable energy resources while reducing green house gas emissions that contribute to climate change and by reducing energy consumption through conservation (Governor’s Office of Energy Independence and Security).

At 2009 prices, the average Freeport household spends approximately \$6,840 per year on energy. A little over \$1,000 is for electricity, \$2,320 for heat, and \$3,500 for gasoline (State of Maine Comprehensive Energy Plan 2008-2009, Governor’s Office of Energy Independence and Security). The 2008 median household income in Freeport is \$61,958 (see Table 5 –FDFTM). Therefore, the average Freeport household spends 11% of its gross income on energy. In 2008, oil and gasoline nearly doubled in price in a matter of months, illustrating the volatility and instability of the commodities. In addition, most of the money spent on energy leaves the local economy; a very small percentage of the dollars spent stay in Freeport.

### **Electricity**

With all of the efforts by Efficiency Maine to encourage electricity conservation, the average electricity use for Freeport homes continues to rise slightly each year. The average home uses approximately 587 kilowatt hours (kWh) per month (see Table 26 –FDFTM) At 15.25 cents per kilowatt hour, that’s \$89.52 per month. Consumption is lowest in the Spring and Fall and highest in the winter. There’s also a spike in August attributable to seasonal air conditioners. Collectively, homeowners in Freeport spend \$3,961,049 on electricity. A 10% reduction would result in a savings of close to \$400,000. The first step to ensuring reliable and affordable electricity is simply to reduce waste.

Fifty one percent of all of the electricity produced in Maine uses fossil fuel, mostly natural gas, and some oil. Therefore, any reduction in use will reduce the consumption of costly and polluting fossil fuels. It will also reduce the need to construct new and expensive electricity generating plants. Using less electricity will reduce our reliance on foreign fuels, and may prevent the need to build costly new generating plants. Therefore, the cumulative impact of conservation in individual households can have a tremendous impact on the environment and the prices of electricity.

There are a number of simple measures that homeowners can take to conserve electricity. Reduction is the first step. Some are simple and require changing behavior but don't cost anything, others may require minimal expenditures. The savings tend to be small for each individual item, but when added together, the savings can be significant.

In Freeport, the commercial sector has also seen an increase in the use of electricity; the industrial sector on the other hand has had a reduction. This may be the result of incentive programs available to the industrial sector to conserve (there were 11 fewer commercial accounts in 2008 than there were in 2007 according to Central Maine Power).

Increasing the use of renewable electricity-generating resources is another important step to ensuring reliable electricity. Renewable resources opportunities include solar, wind, tidal, geothermal, and biomass. Solar (photovoltaic) and wind can be used on individual residences and businesses, while other renewable resources such as tidal and biomass generators are done on a much larger scale. In some cases, the cost of installing a renewable resource for generating electricity may be prohibitive for a single household, or the "payback" may take longer than the homeowner might think is reasonable. As technology advances, and as demand increases, the price may come down. The more affordable the price, the more widespread the use of these devices will become. In the meantime, it is prudent to research various options so that when the time is right, good decisions are made. For example, the Freeport Public Works building is an excellent location for photovoltaic solar panels. The town should be prepared to take advantage of that technology if the price comes down.

Wind power has strong potential for Maine, both on land and in the water. Wind maps for Freeport show "fair" potential along the coast. Before we can pursue



larger-scale wind power potential, we'll need significant data collection. The larger scale projects, such as wind farms, come with a dramatic change to the landscape. For some citizens, the change is welcome and they admire the size and movement of the blades like a well designed building. For others they are a nuisance. For the turbines to work properly they have to clear the tree line by many feet. They will be a dominant piece of the landscape. Before undertaking any studies as to feasibility of a wind farm, Freeport needs to decide at what point is the change is acceptable. For example, would reduced electricity rates for a period of time be a reasonable trade off? Or is there no tradeoff that is reasonable? These are difficult questions, but ones that must be addressed well before any proposal is made.

Other energy opportunities might include biomass generators, for both electricity and for heating. The paper companies have used a version of this type of energy for decades. Research has shown that biomass facilities work best when they are linked to a very large building (or a complex of buildings) so that there is a short distance between where the energy is created and where it is used. If this type of development were proposed, it would likely require allowing a pattern of development that is somewhat more clustered than is allowed.

## **Recycling**

In 1989, the Maine legislature adopted the following goal. "It is the goal of the State to recycle or compost, by January 1, 2009, 50% of the municipal solid waste tonnage generated each year within the state." In the past twenty years, the state has achieved a recycling rate of 38%. The state is refining its goal.

Freeport's recycling program is voluntary. In 2007, approximately 42% of the solid waste from Freeport was recycled (see Table 29 –FDFTM). For every ton of solid waste that is recycled instead of disposed of traditionally, the town saves \$88 (2008 prices). So the more that is recycled, the less the town is required to pay. Many paper, plastic, and metal products and packaging are recyclable. Residents can bring recyclable materials to recycling containers commonly referred to as "silver bullets". The town doesn't have to pay for the container, but removing the full containers costs approximately \$45 per ton. The Recycling Committee would like to have silver bullets in more locations as an incentive to increase recycling; however, funding isn't available to cover the removal costs.

The town also promotes recycling by encouraging composting by bulk purchasing composting containers and selling them to residents at cost. The Recycling

Committee also handed out reusable shopping bags to everyone who brought items to the bulky waste recycling.

Paper and cardboard brought to the recycling center on Pownal Road are baled and sold. The sales price isn't high, but it helps to support the recycling facility. In short, the Town saves more if materials are brought to the recycling center.

The Freeport Town Charter prohibits any ordinance that transfers disposal costs at EcoMaine to the taxpayers via a fee such as "pay per bag" or a new tax. As a result, any efforts to increase recycling can't be in the form of a new fee or tax.

### **IMPLEMENTATION IDEAS**

1. Consider developing standards for wind turbines and solar panels that regulate the location to minimize noise impacts on neighboring properties, height, and safety of the structure, and that take industry standards into consideration. New Ordinances should be consistent with State Shoreland Zoning regulations and other state laws. (Planning Board) *low priority*
2. Consider collecting local wind data, if possible. (Town staff) *low priority*
3. Consider developing standards for roof mounted and ground mounted solar panels that take into consideration historic structures, aesthetics, height, etc. consistent with State law. (Planning Board) *high priority*
4. Consider chipping waste wood at the recycling facility for use in outdoor wood boilers. (Town staff) *low priority*
5. Consider allowing a density bonus and/or flexible zoning standards if projects that use renewable energy resources. For example, a group of homes or units that will use one geothermal heat pump, or outdoor wood boiler, etc. (Planning Board) *medium priority*
6. Consider exploring the possibility of a publicly held, or quasi publicly held renewable energy utility to reduce local ratepayer electrical bills, to expand the use of renewable resources, and to reduce greenhouse gas emissions. (Town Council) *low priority*
7. Consider setting aside a portion of the annual savings resulting from increased recycling to fund additional recycling programs. (Recycling Committee) *medium priority*

## **7. Transportation**

The Maine Growth Management Act states that communities must work "*To plan for, finance, and develop an efficient system of public facilities and services to accommodate anticipated growth and economic development.*"

Transportation is an essential service. In the 21<sup>st</sup> century, transportation is an expensive service. People and goods need to be able to get from one place from another. The demand for more transportation options, such as buses and trains, bike paths and sidewalks, is increasing. Tourist traffic adds to these demands. They all have their place and they all have their costs.

Some of the roads in Freeport, like those of all other town in Maine, are in rough shape. A 2009 pavement study done in the greater Portland area concluded that the majority of the collector roads are in poor condition. Those roads include Bow Street from Dennison to Lower Main Street; 2) South Street, from West St. to Porter's Landing, and 3) Main Street, from Mallett Drive to Kendall Lane. That pavement study only included roads in the "urban area as defined by the Portland Area Comprehensive Planning Organization (PACTS). Once a road starts to crack and break up, the degradation happens quickly; so the only remedy is to completely re-build the road.

There are several reasons that contribute to the increasing costs of road maintenance, such as the depth of pavement, the ability of a road to quickly shed water, the amount of freezing and thawing that roads are subject to, and the amount of use roads get from cars and trucks. We have no control over the weather; however, we can control how we maintain our roads. The need for increased road maintenance can also be considered a cost of sprawl type development and we do have the ability to manage where growth occurs.

The American Association of State Highway and Transportation Officials (AASHTO) has researched the damaging effect of vehicles on roads. That research concludes that the heavier the vehicle the more damage that is done to pavement. The more frequently a road is used, the greater the damage that is done. Over 220 million cars are registered in the United States, that's more than 1 for every person over the age of 18. In Freeport, just 27 of the 424 houses new houses built in the last 10 years, were in a growth area (close to jobs, shops, schools, etc). That means that most of the trips taken in a day by each household require a car, increasing the traffic and wear and tear on the roads. The closer people live to where they work, shop, and play, the shorter trips become and some trips may be avoided because it is close enough to walk or bike.

Another reason for the rising cost of local road maintenance is that the town is now responsible for more miles of road than it used to be. When the population of a town in Maine reaches a certain threshold, roads that had been the responsibility of

the state to maintain become the town's responsibility. It is very likely that several miles of road will be turned over to the town from the state once the results of the 2010 Census are completed (probably sometime in 2012).

Another reason for rising road maintenance costs is rocketing costs of pavement. Road construction costs have increased 35% between 2005 and 2007, due to the increased cost of pavement and the increased demand for wider shoulders, turning lanes, etc. Asphalt is a petroleum product, so in 2008, as the price of oil shot up, the price of liquid asphalt increased 300%. Prices have come down considerably in 2009; however, they are expected to resume rising. (According to "*Greater Portland's Transportation System is Crumbling*" a May 2009 Portland Area Comprehensive Transportation System Report.) When the price of oil was low, paving roads was the most cost effective method of maintenance. As the price of oil and pavement increases, other surface options may have to be considered. The demand for more bike paths and sidewalks is growing. When more people ride bikes and walk safely, they are less reliant on cars. So, more bike paths and sidewalks are a critical part of a comprehensive transportation system and improve the quality of place for a community. They come with a price tag.

The demand for buses and/or trains for commuting and travel is likely to increase in step with the price of gas. We learned, in the summer of 2008, that \$4.50 for a gallon of gas was possible. Suddenly commuters were looking for alternatives to the one-car one-person way to get to work. Citizens sought ways to save on gasoline, and employers were having a difficult time retaining workers whose commute had become expensive. In the future, if Freeport is on a public bus or train route, a subsidy will most likely be required.

As road construction cost, revenues for maintaining roads started to decline. In the face of these shrinking transportation dollars, resources will have to be shared to ensure the sustainability of the entire transportation system. While it is expected that road maintenance will take the larger share of the town transportation budget, Freeport also needs to incorporate funds to improve other, non-motorized forms of transportation. All states and communities are faced with this problem; how each reacts to the problem is up to the community. The sooner these issues are faced, the sooner a plan of action can be developed.

One option is to raise taxes to cover all of the public's demands (this is usually unpopular). Another option is to prioritize what is most important and spend within our means. The State of Maine is considering increasing the amount of

recycled pavement that can be used in road building. Alternative road bases, such as recycled glass, can also be considered. A more drastic option is to let some lightly used roads revert back to a gravel surface, or to another surface, (such as reclaimed pavement). This Plan doesn't attempt to solve the problem, or even to offer all the solutions. Rather its purpose is to suggest that all options should be examined, and in the very near future.

In the past, as traffic increased, more lanes and roads were built, instead of attempting to modify the demand for more roads. Now that increased supply is somewhat thwarted by high costs, its time to look at the demand side of transportation. How can we reduce the number of vehicles on the road, especially during peak hours ("transportation demand management"), or in other roads, the demand. One challenge that the town faces is finding ways to get more efficient use out of the existing road system.

The closer people live to where they work, shop, go to school, and play, the fewer miles they need to drive. Land use and transportation are intricately connected. Alternatives such as car pooling, public transit, safe bicycle paths and routes, and sidewalks, can all cut down of the number of miles driven, leaving our air cleaner, our population healthier, and reducing the amount of carbon dioxide being emitted into the air.

In the next decade, how people and goods move around is likely to see significant changes. The more we face the challenges in advance and make informed decisions, the better off Freeport will be.

### **IMPLEMENTATION IDEAS**

1. Considering developing new funding mechanisms for maintaining and improving intersections and the existing road system. (Planning Board, Traffic and Parking, Town Council) *medium priority*
2. Consider working with business owners to develop ideas for encouraging use of alternative transportation and for subsidizing the service. (staff) *high priority*
3. Consider improving bicycle, motorcycle, and scooter parking in the village. (Planning Board) *high priority*
4. Consider connecting roads when possible to improve the flow of traffic. (Planning Board) *low priority*
5. Consider allowing parking lots in all districts along the Route One corridor. (Planning Board) *low priority*
6. Consider implementing a small scale system for moving people around Freeport Village and Route One South, if needed. (Traffic and Parking) *high priority*

7. Consider improving bicycle and pedestrian facilities throughout the Town of Freeport. (Town Council, Traffic and Parking) *high priority*
8. Consider conducting a study of traffic flow and parking in the Village with the Cross St. and School St. improvements completed and functioning and the parking garage completed and in use. (Traffic and Parking) *low priority*
9. Consider creating a plan that establishes yearly goals for the construction and maintenance of paved roadway shoulders, bike lanes, and sidewalks to preserve and improve bicycle and pedestrian access throughout the town. High priority should be paid to areas that are unsafe. (Traffic and Parking Committee/Safe Routes to School) *high priority*
10. Consider adding a new member to the Traffic and Parking Committee that is focused on the bicycle and pedestrian aspects of transportation. (Town Council) *high priority*
11. Consider re-assessing the parking requirements. (Planning Board/Traffic and Parking Committee) *high priority*
12. Consider continuing to participate in regional transportation planning efforts. (staff) *ongoing*
13. Consider continuing to cooperate with MDOT regarding the development of a public transit system as approved by the federal Small Starts program. (staff) *ongoing*
14. Consider continuing to monitor village parking usage. (staff ) *ongoing*

## **8. Historic and Archeological Resources**

### **State Goals**

The Maine Growth Management Act states that communities must work “*To preserve the State’s historic and archaeological resources.*”

The past becomes part of the present in Freeport through the historic structures and places that are located throughout the Town. Townspeople recognize that these structures and places are a vital element of Freeport's "community character" and they are an important part of the our “creative economy”.

Within the Town borders are two Historic Districts (see Figure 3 –FDFTM) and numerous historic buildings, as well as many archaeological sites. Regulations to protect these resources are very limited. Due to changing land use throughout town, historic inventories have become outdated and need to be revised, or do not exist.

The Harraseeket Historic District covers over 3,200 acres. The structures within the district have not been inventoried in several years. An inventory would uncover whether structures within this district were being altered or destroyed and would provide the information needed to ascertain if additional protection is



needed. The boundaries of this district should also be analyzed to see if they are properly located.

The town and the Historical Society cooperate on a regular basis. Financial support from the town will most likely be needed if more in-depth research on historic structures is going to take place.

### **IMPLEMENTATION IDEAS**

1. Collaborate with the Freeport Historical Society to provide education on preserving historic structures, research historic buildings, research the boundaries of the Harraseeket Historic District, research the need for a Historic Preservation Ordinance. (Historical Society/town staff) *ongoing*
2. Consider a Historic Preservation Ordinance to protect the two historic districts, and appoint a Historic Preservation Commission, to protect Freeport's historic resources, and to educate the public and provide advice and assistance with regard to the historic resources of Freeport and how to protect them, if it is determined to be needed because historic structures are being destroyed or significantly altered. (Historical Society/Planning Board ) *high priority*
3. Consider periodic survey updates of the buildings in the Design Review Districts and the Historic Districts. (Historical Society/town funds) *medium priority*

## **9. Public Facilities, Services, Government, and Fiscal Capacity**

The Maine Growth Management Act states that communities must work *To plan for, finance and develop an efficient system of public facilities and services to accommodate anticipated growth and economic development.*

Freeport has enjoyed strong leadership and management over the years. As a result, debt is going down, reserve accounts are adequate, and the tax rate has remained relatively flat. Every year, municipal departments are asked to find ways to save money, and every year new methods are found. When opportunities arise to cut expenses by sharing staff or equipment with neighboring communities, they are examined carefully.

Every year, during the budget cycle, the Town Council reviews and updates the 20-year capital plan and the five year capital plan. That Plan includes a schedule for improvement to roads, equipment, and public buildings. The Council also reviews its fee schedule every couple of years to be sure that they are in keeping with other communities.

The town has researched consolidating dispatch of emergency services. No decision has been made on that. In 2009, no other major changes to local facilities, services, or the financial health of the community are proposed.

Property taxes place a significant burden on residents and businesses. The Town Council has been able to keep tax increases at a minimum over the last few years. In the upcoming years, funds from the state are likely to decline and the cost of “doing business” is likely to increase. The town is going to be challenged with continuing to provide a high level of service while keeping taxes fairly level.

## **10. Current Land Use Patterns and Future Land Use Plan – Village and Rural Housing and Commercial Growth**

### **State Goals**

The Maine Growth Management Act states that communities must work *To encourage orderly growth and development in appropriate areas of each community and region, while protecting the State’s rural character, making efficient use of public services and preventing development sprawl. And To encourage and promote affordable decent housing opportunities for all residents*

Freeport's existing land use pattern is diverse. There is a densely developed commercial center attracting over 3.5 million shoppers a year; residences stand along existing roadways and new housing developments have been built on private roads in the rural parts of town. Finally, there are important historic villages.

### **Residential**

Residential stock continues to be mostly single-family houses spread throughout the rural areas. New single-family development hit its peak in 2004, when 60 permits were issued, and its low in fiscal year 2009 with 17 new houses (see Table 12 –FDFTM). The average is 42 new single-family houses each year, since 1991. In the same period approximately 5 new multi-family units were built annually.

### **Rural Areas**

Rural areas typically include active agricultural and forest land, large tracts of undeveloped land for wildlife and outdoor recreation, environmentally sensitive areas, scenic vistas, and low density residential development. In Freeport, low density housing developments and lots along roads and in backland is becoming the predominant use in the rural areas. Over time the rural areas have been morphing into suburban areas.



As history, the 1959 Comprehensive Plan addressed the problems created by too much commercial, industrial, and residential uses in the Village. That Plan recommended that these problems could be alleviated by encouraging development on the outskirts of the Village where land was plentiful. By 1974 the Comprehensive Plan sought to counteract the increased development along rural roads because it was diminishing the strength of neighborhoods. In response to that Plan, the first Zoning Ordinance was adopted in 1976. The Rural Residential Districts 1 & 2 were created in the “most open and rural area in town”. A minimum lot size of 2.5 acres was established, it continues to be the standard for those districts.

The Plan developed in 1981 also identified rural development along roads as not being in the “best interests” of Freeport. The reasons stated were that housing conflicts with the open and rural nature of Freeport, that safety could become an issue that this dispersed form of development was likely to become more costly to provide services to, and it questioned whether the soil had the ability to handle all of the new development. Plans in 1985 and 1994 continued to discuss the same issues regarding development in rural areas. Yet in the past decade, 2000 – 2009, another 390 new single family houses were built, 22 of which were built in growth areas. For the past 25 years, Comprehensive Planning has attempted to slow down the growth in rural areas yet the growth continues.

The 1994 Comprehensive Plan set the goal that 50% of all new residential growth should be in growth areas. Between 1992 and 2001, 7% of all new units were in designated growth areas; by 2008 that number has increased to 18% (zoning amendments since 2005 have increased the density in the Village, (see Table 13 – FDFTM) Housing growth, in general, has dropped dramatically. It is still too early to tell if this is a shift in our development pattern or whether it is the result of a couple of fairly large projects in the growth areas coupled with the sharp decline in the economy.

If we have incentives to build in growth areas, should there be corresponding disincentives from building in rural areas? Would that, in fact, provide balance in growth? One method to limit the number of new houses in rural areas is to cap the number of building permits issued each year in those areas.

Currently the predominant means of preserving open spaces in rural areas was to purchase land through the efforts of the Freeport Conservation Trust and the

Freeport Conservation Commission (see Table 21 in Freeport Data, Facts, Trends, and Maps for more details). This is an effective tool and has preserved hundreds of acres around town; however, it requires constant funding to be effective. The Open Space Subdivision Ordinance adopted in 2002 has also been effective at preserving a significant amount of open space (see Table 22 –FDFTM). That Ordinance requires that open space be preserved in every new development in return for smaller lots. The open space preserved in the various subdivisions serves a variety of functions such as providing buffers against neighboring uses, preserving large blocks of undisturbed land for wildlife, protecting managed woodlots, and providing outdoor recreation. In some cases, the open space is fragmented, in other cases the open space is a large undisturbed block of land. The large undisturbed tracts of land tend to be better for preserving wildlife while the smaller pieces tend to function more as buffers against neighboring properties or protect a small but important natural resource.

Rural residential development is either in an approved subdivision or on land that is not in a subdivision. In Freeport, the proportion of new single-family houses being built in subdivisions has increased from 22% in 1990 to 28% in 2008. (see FDFTM page 9) The balance of new houses in rural areas are built on lots that are not part of a subdivision.

Lots in approved subdivisions are typically clustered closer together so that larger tracts of open space can be protected. They are also subject to extensive environmental review. Additionally, subdivisions are required to calculate their “net residential density”. To do that, environmentally sensitive areas and roads are deducted from the gross land area. The resulting acreage is the “net acreage”. The number of lots is determined by dividing the minimum lot size by the “net acreage”. This is done to appropriately size the development based on the land’s capacity to sustain the development. On average, about 25% of a parcel of land can be expected to be lost as a result of the net residential acreage calculation. Lots that are created outside of an approved subdivision are not subject to the net residential acreage calculation, yet the minimum lot size of 2.5 acres/lot is the same for either type of lot.

Subdivisions are also limited to a dead-end road of 2,500’, and can have no more than 15 lots if the road is a dead-end. Developers routinely request waivers from these provisions. The purpose of the limitation on the length of a dead-end road and the number of lots on that road is unknown.

It could be considered that lots outside of subdivisions are given a bonus in a number of ways. Environmental review is avoided and the number of lots is greater. Lots that are not in subdivisions though can only be created at a rate of one every five years. In the Village, lots that are outside of an approved subdivision have a larger minimum lot size than those in a subdivision. There are methods that can provide some balance between the two types of lots. For example, a larger minimum lot size for lots outside of subdivisions is one way and would be consistent with the practice in the Village. Another is to analyze the road length requirement and net residential acreage requirements to look for ways to provide more equity between the types of lots.

### **IMPLEMENTATION IDEAS**

1. Consider equitably limiting the number of building permits in rural areas. (Planning Board) *medium priority*
2. Consider reviewing the need and effectiveness of the dead end road length limitation and the limitation of the number of houses on a dead-end street. (Planning Board/Project Review Board) *low priority*
3. Consider increasing the minimum lot size for lots not in a subdivision. (Planning Board) *low priority*

### **Mixed Use and Growth Areas**

The ultimate “concentrated” development model is mixed use development. Mixed use development allows residential and commercial development to exist on the same parcel, adjacent to each other, or in the same building. The best examples of mixed use development can be found in any New England village; with houses, businesses, and factories all close by. In this case, the past is our best model. Zoning separated these uses. In retrospect, it may have separated them too much.

Mixed use areas were desirable places to live. They can, once again, be desirable places to live as long as open spaces are intertwined with developed areas, goods and services are within walking distance, and safe and well maintained facilities for bicyclists and pedestrians are provided. Creating places for people to live, work, and play provides opportunities to reduce gasoline consumption, to reduce traffic congestion, to improve air quality, and to provide a mix of housing units in size and price. Mixed use areas should be in areas serviced by public water and sewer, or at least in areas that require minimal extensions to those utilities. In 2007, the first mixed use districts were approved.

In Freeport, the growth areas are the Medium Density Districts along Route One North, the Village 1, Village Commercial Districts, the Village Mixed Use Districts, and the Commercial 1 and 3 Districts. Since 2005, the allowable densities in those districts (with the exception of the Medium Density districts) have been increased while the size of the Districts remains the same. All of the Districts allow a wide variety of housing types and commercial uses. All of these areas are serviced by public water and sewer.

In 2008, the allowable residential density was increased in the Route One South area. This area could be a “receiving” area for a transfer of development rights (TDR) program (see recommendation for developing such a program in the Open Space and Recreation section of this Plan). The program works like this; development rights that are preserved in rural areas (the sending area) are traded for higher development in the Route One South corridor (the receiving area). This would provide another option for housing growth and simultaneously preserves rural areas. The TDR program will provide additional incentives to preserve types of rural land, active farmland, woodlots, or open spaces.

Freeport currently has a “Retirement Community Overlay District”. Any parcel over 30 acres having access to public water and sewer is eligible for this designation, no matter where it is in town. During the course of the review of these projects, it was suggested that these types of developments should only be allowed in certain districts, ideally those near other development. One “retirement community” has been approved. Another is proposed as of the end of 2009. These “communities” provide a variety of housing types, sizes, and prices, and varying levels of services. A zoning amendment is required for a retirement community.

Allowing higher density also has an impact on the town’s tax base. The average assessed value of a single-family home is close to \$48,000 per acre. Most of these homes are on lots 2.5 acres or larger. The assessed value per acre of a condominium complex is \$538,500 (see Table 14 –FDFTM)

### **IMPLEMENTATION IDEAS**

1. Consider evaluating discharge rates at the sewage treatment plant and review plant upgrades prior to expanding any new growth areas. (Planning Board/Sewer District) *high priority*
2. Consider allowing lots with more than one residential structure to create non-conforming lots provided both buildings were in existence prior to January 1976 and both buildings were used for residential purposes in 1976. (Planning Board/Board of Appeals) *low priority*

3. Consider reviewing the appropriateness and effectiveness of Overlay District standards. (Planning Board) *medium priority*

### **Transition Areas**

Traditional land use patterns have the densest development in the center and then rings of lesser density as one moves out. In some cases, Freeport's densest areas for residential and/or commercial development abut rural, commercial, and industrial areas. "Transition" areas, or medium-density areas, provide a buffer between the built-up environment and the rural areas. In Freeport, the proposed rural, growth, and transition map shows areas that could become medium-density zoning districts. It is important to note that the areas shown on the map are not intended to show exact lines of demarcation, but merely to show areas that could provide buffers. Such buffers could provide for more growth but at a lesser density than is allowed in the Freeport and South Freeport Villages.

The Medium Density Districts that exist in Freeport today are typical transition zones. The allowable densities are not as high as growth area, but higher than rural areas. They also allow some business activities. The current minimum lot size in the mixed use districts is 50,000 square feet per lot. That size lot is not dependent on connection to the public water and sewer system. It may be preferable to connect to these public systems, but new areas should not be required to connect to the public systems unless the sewage treatment plant has the capacity to handle the new flow without detriment to the water quality in the Harraseeket River.

To maintain rural areas in Freeport, at least sixty percent of all new residential growth should be in growth or transition areas. In addition, at least ten percent of all new units should meet the local definition of affordable. This will not be accomplished by one tool, but by many.

### **IMPLEMENTATION IDEA**

1. Consider developing "transition zones" between growth areas and rural areas. The transition zones could allow higher density than what is currently allowed while avoiding sensitive area identified by the Beginning with Habitat program. (Planning Board) *medium priority*

### **Affordable Housing**

Affordable housing means that housing does not require any more than 30% of a household's income. Given the median home price in Freeport, a household whose income is approximately 150% of the median income (in 2008, the median

household income in Freeport was \$61,958) will have a difficult time finding a house that is affordable for them. Homeownership is typically not possible for households earning between 70% and 120% of median income. Households below 70% of median income will typically have difficulty finding rental housing that is affordable. Those below 60% of median income typically rely on a subsidy for their rental housing. In 2008, only 27% of Freeport families would be able to buy a median priced house (\$293,000) (see Table 5 –FDFTM) ) A majority of homeowners in Freeport could not afford to buy their homes at today's prices.

The affordability of housing in a community or region is based on an index. The index measures the difference between the median price of housing and the housing price that a family with a median income. An index of 1 means that there are adequate housing options available for a family with a median income can afford. An index less than one means there are fewer options and the options decrease the lower the index gets. In 2008, the affordability index for Freeport was .66, while the statewide the index is .79. (see Table 6 –FDFTM

The economic downturn of 2008 has created both challenges and opportunities for housing. Home prices have dropped, a federal tax credit for first-time home buyers is in place, and very low interest rates have created excellent opportunities for home buyers, in particular for those who currently rent. Securing financing however has become extremely difficult, except for those with excellent credit ratings. Job security is low, and energy prices are high and unstable.

A goal of the State's Comprehensive Planning Program is to encourage at least 10 percent of all new housing created over the next ten years to consist of affordable units. The current socioeconomic mix of the town would indicate that in Freeport a goal higher than 10% is necessary to achieve an affordability index of one. Using the housing projections, this goal would translate into the creation of 63 affordable housing units during the next ten years. If this affordable housing was to be allocated among very low, low, and moderate income households in proportion to the region's household distribution, then 34 of the 63 new affordable housing units would be affordable to moderate income families, 15 would be affordable to low income families, and 14 would be affordable to very low income families.

To reach an affordability index of one, the town will have to play an active role. Higher densities have been approved in the Village and that is an important and bold step. But higher densities alone won't create housing that is "affordable".



The town will have to develop mechanisms to raise money to subsidize the cost of housing. The funds can be used to maintain the existing housing stock, or to create new housing. Provisions to avoid the creation of a “windfall” for the first owner to ensure the long-term affordability are necessary.

### **IMPLEMENTATION IDEAS**

1. Consider creating housing for low and moderate income families (family income up to \$71,000), younger families, and those 55 years of age and older. For example, by requiring developers to build at least 10% of the units in a housing development at certain price point, or charge a fee in lieu of providing the units. (Planning Board/Freeport Housing Trust/Habitat for Humanity) *high priority*
2. Consider allowing incentives for creating a diverse housing stock. For example, by allowing a density bonus if the house size is limited. (Planning Board/Freeport Housing Trust) *high priority*
3. Consider offering tax acquired property for affordable housing providing back taxes are paid. (Town Council) *ongoing*
4. Consider allowing an accessory apartment to be up to 40% of the living area of an existing home (remove the upper limit of 800s.f.). (Planning Board) *high priority*
5. Consider allowing existing buildings in the V-1, VC-3 and VMU districts to be converted to as many units as is practical if connected to public water and sewer, and if parking and impervious surface requirements can be met. (Planning Board) *low priority*
6. Consider partnering with the Freeport Housing Trust to find grant and subsidy programs and to administer the affordable units and/or funds generated. (Freeport Housing Trust/Town Council) *ongoing*
7. Consider striving to achieve a housing affordability index of one. *high priority*

### **Commercial Areas**

Commercial development over the last two decades has been a combination of new development and re-development of existing buildings. Freeport Village is largely retail and office, while Route One South provides hospitality uses and a variety of light manufacturing and specialty businesses. The Industrial 2 District and the Commercial 4 District on the west side of Interstate 295 are home to LLBean’s catalog operations, and includes a significant amount of space that could be developed for a variety of commercial and light industrial type of uses. The local business district on the west side of the interstate has had minimal development over the last two decades.

In 2001, Vision 2010 was developed as a plan to reinvigorate the village retail core and to expand the commercial base in ways that would encourage visitors to stay in Freeport, rather than just stopping along the way to another place. Many positive changes, such as a parking garage and new retail space, further expansion of the LLBean campus, and expansion of the arts have resulted from that plan. One of Freeport Village's great advantages is its physical charm and distinct identity, things rarely found in other retail outlet centers. Maintaining that charm, ensuring diversity of businesses while providing sufficient opportunities for local businesses as well as nationally recognized businesses to thrive, and fostering businesses that serve residents as well as tourists is a way to sustain and reinforce Freeport's sense of place.

Changes to the Route One South corridor have increased the allowable density for both residential and commercial uses if access points are limited along U.S. Route One. The Comprehensive Traffic Study completed in 2004 recommended using access management techniques similar to those adopted by the Maine Department of Transportation to maintain the free flow of traffic in the area. Limiting access may mean limiting the number of driveways, maintaining a certain distance between driveways, and limiting the width of driveways. It may also mean adding signals, turning lanes, medians, and frontage roads. These types of techniques will allow the corridor to continue to grow while still maintaining the existing two lane road. Another important factor in maintaining a free flow of traffic, while allowing for growth is to limit or prohibit uses that generate high volumes of traffic such as "big box" retail development.

Avoiding environmentally sensitive areas is another concern when considering development. Recent changes in the Route One South corridor allow for more flexible setback requirements if sensitive areas can be avoided. That technique is particularly effective when adjacent properties have commercial uses.

Those buildings that are along the Route One corridor should be built to a higher architectural standard while buildings that aren't visible could be plainer buildings, and would allow for more diversity in the commercial base and a wider variety of jobs.

There continues to be ample land and buildings available to grow the commercial sector of the Freeport within the existing Districts. Instead of expanding the areas where commercial activity is allowed, adjusting rules and standards within the existing districts is proposed to keep up with our changing economy.



### **IMPLEMENTATION IDEAS**

1. Consider assessing allowable uses and building heights in the Industrial 2 District (Desert Road). (Planning Board) *medium priority*
2. Consider finding appropriate locations for metal buildings, especially in Districts that allow light manufacturing. (Planning Board) *low priority*
3. Consider limiting the size of retail stores in some Districts. (Planning Board) *medium priority*
4. Consider developing more flexible regulations for commercial buildings provided that architectural and environmental standards are met and that access to the collector road is limited. (Planning Board) *medium priority*
5. Continue maintaining the consistency between town building codes and state building codes. (Codes Enforcement Officer) *ongoing*
6. Consider developing ideas that promote both local businesses and other businesses in different parts of Freeport. Such as, by identifying appropriate locations for formula restaurants, by evaluating parking and sign requirements to ensure that they are friendly to local businesses, developing a wayfinding system that informs residents and visitors of where local businesses are, and/or developing a “buy local” program. *medium priority*
7. Consider mechanisms for extending water, sewer, gas, and 3 phase electrical utilities on Route One North. (FEDC) *high priority*
8. Consider a design review district or design standards for Route One North (Planning Board) *low priority*

Proposed Future Land Use Map  
Freeport Rural and Growth Areas

Note:  
Red lined areas are proposed  
Village Commercial Growth Areas.  
  
Blue lined areas are the approximate  
locations of proposed transition areas.

